



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

February 21, 2017
System No. 2410002

Mr. Darrell Fonseca, City Manager
City of Dos Palos
2174 Blossom Street
Dos Palos, CA 93620

CITATION NO.: 03-11-17C-005
Violation of Provisions of Regulation 64653(c)
Surface Water Turbidity Performance Standard

Enclosed is a Citation issued to the City of Dos Palos and JPA (hereinafter "Water System") public water system. The Water System will be billed at the State Water Resources Control Board's (hereinafter "State Board") hourly rate (currently estimated at \$161.00 per hour) for the time spent on issuing this Citation. California Health and Safety Code, Section 116577, provides that a public water system must reimburse the State Board for actual costs incurred by the State Board for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a citation. At this time, the State Board has spent approximately 2 hours on enforcement activities associated with this violation.

The Water System will receive an invoice sent from the State Board in August of the next fiscal year. This invoice will contain fees for any enforcement time spent on the Water System for the current fiscal year.

If you have any questions regarding this matter, please contact Arnold Hatai at 559-447-3135.

Sincerely,

Kassy D. Chauhan, P.E.
Senior Sanitary Engineer, Merced District
Central California Section
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Enclosures

Certified Mail No.: 7016 1370 0000 0455 3819

cc: Merced County Environmental Health Department
Fabian Ramos, DFA-Sacramento

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**STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER**

IN RE: CITY OF DOS PALOS AND JPA
WATER SYSTEM NO. 2410002

TO: DARRELL FONSECA, CITY MANAGER
2174 BLOSSOM STREET
DOS PALOS, CA 93620

CITATION NO. 03-11-17C-005

**CITATION FOR NONCOMPLIANCE
FOR VIOLATION OF REGULATION 64653(c)
FOR SURFACE WATER TURBIDITY PERFORMANCE STANDARD
FOR JANUARY 2017
ISSUED ON FEBRUARY 21, 2017**

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State Board"), to issue a citation to a public water system when the State Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued or adopted thereunder.



34 In addition, CHSC, Section 116540 authorizes the State Board to issue domestic water
35 supply permits and to be able to impose permit conditions and requirements for system
36 improvements.

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38 The State Board, acting by and through its Division of Drinking Water (hereinafter
39 “Division”) and the Deputy Director for the Division (hereinafter “Deputy Director”),
40 hereby issues this citation pursuant to Section 116650 of the CHSC to the City of Dos
41 Palos and JPA (hereinafter “Water System”) for the violation of the turbidity performance
42 standards established in the Long Term 1 Enhanced Surface Water Treatment Regulation
43 (LT1ESWTR) of the Surface Water Treatment Rule under Section 64653(c), Table 64653
44 Combined Filter Effluent Turbidity Performance Standards, Section (2)(A).

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46 A copy of the applicable statutes and regulations are included in Attachment 1, which is
47 attached hereto and incorporated by reference.

48

49 **STATEMENT OF FACTS**

50 The Water System is classified as a community water system with a population of
51 approximately 7,450 persons, serving 2,581 service connections. The Water System is
52 operating under Domestic Water Supply Permit No. 03-11-02P-003 (hereinafter “Permit”),
53 issued on August 14, 2002.

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55 The Water System utilizes the California Aqueduct as the approved surface water source.

56 The surface water source undergoes conventional filtration treatment followed by



57 chlorination disinfection prior to entering the clearwell and distribution system. The Water
58 System is required to treat the surface water to 0.3 Nephelometric Turbidity Units (NTU)
59 in at least 95 percent (95th percentile) of the effluent turbidity readings taken each month.
60 The Water System must also notify the Division by telephone for any exceedance of any
61 primary MCL in the combined effluent of the treatment plant, failure to meet CT
62 requirements, or whenever the turbidity of the combined filter effluent exceeds 1.0 NTU at
63 any time. Notification shall occur within 24 hours of the Water System becoming aware of
64 such an incident. In January 2017 the Water System's effluent turbidity 95th Percentile
65 value was reported as 0.767 NTU.

66

67 Due to high flows into the California Aqueduct from the Delta pumping stations, the Water
68 System experienced high raw water turbidities that were about ten times above normal.
69 The age and deteriorated condition of the plant may have contributed to its capability to
70 treat the higher raw water turbidities and resulting exceedance of the 95th percentile
71 effluent turbidity performance standards. The City recently received a DWSRF planning
72 project for the replacement of the surface water treatment plant and for DBPR compliance
73 (Compliance Order No. 03-11-14CO-009). The Water System is a severely disadvantaged
74 community, and the construction project will be co-funded by grants from the DWSRF and
75 USDA funding programs. The final engineering planning report is due July 30, 2017 with
76 final plans and specifications for construction by June 30, 2018.

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79 **DETERMINATION**

80 The Permit includes conditions that the Water System is required to comply with, which
81 were deemed necessary to assure a reliable and adequate supply of water at all times that is
82 pure, wholesome, potable and does not endanger the health of consumers.

83 The Water System's 95th Percentile NTU value for all turbidity readings during January
84 2017 was 0.767 NTU. During the period from January 17 to January 31, the peak daily
85 raw water turbidities increased from its normal 2 NTU levels to 24 to 34 NTU. This
86 resulted in the 4-hr effluent turbidity readings to range from 0.050 NTU to 0.90 NTU with
87 the most consistent degradation occurring from January 27th to 31, 2017. During that
88 time, the Water System provided CT ratios averaging 11.5. After those dates, the raw
89 water turbidities have decreased and the Water System is producing water with normal
90 effluent turbidities that are below 0.3 NTU. The Water System consulted with the
91 Division on January 30, 2017, and has pursued various corrective measures including
92 testing of various coagulants and coordinating with various vendors.

93 Therefore, the Division has determined that during January 2017, the Water System failed
94 to comply with Regulation 64653(c), Table 64653 Combined Filter Effluent Turbidity
95 Performance Standards, Section (2)(A) of the California Code of Regulations.

96
97 **DIRECTIVES**

98 The Water System is hereby directed to take the following actions:
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- 100 1. Comply with Regulation 64653(c), Table 64653 Combined Filter Effluent
101 Turbidity Performance Standards, Section (2)(A) in all future monitoring periods.

- 102 2. The Water System shall submit proof of the public notification and copies of the
103 Tier 2 public notification using the form provided as Attachment 1.
- 104 3. The Water System shall provide a written incident report on the events leading up
105 to the exceedance that include a description of the changes in the raw water
106 parameters and actions taken to increase turbidity reduction that include jar testing
107 and modified operation of the unit treatment processes to optimize turbidity
108 removal. The Water System should communicate with the operators of the
109 Aqueduct to receive early notifications of future raw water turbidity increases.
- 110 4. An amendment to the Plant Operations Plan shall be submitted to the Division by
111 March 31, 2017 that incorporates the procedures developed to address the issues
112 identified in the incident report to assure reliable treatment is provided in
113 conformance with the turbidity performance standard of 0.3 NTU for the 95th
114 percentile value.
- 115 5. The Water System shall include this violation in the 2017 Consumer Confidence
116 Report in accordance with CCR, Title 22, Section 64481(g)(2). And shall include
117 Health Effects language pursuant to Appendix 64465-B, Health Effects Language
118 Surface Water Treatment.

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120 All submittals required by this citation shall be submitted to the Division at the following
121 address:

122 Kassy Chauhan, P.E., Senior Sanitary Engineer
123 State Water Resources Control Board
124 Division of Drinking Water, Merced District
125 265 W. Bullard Ave, Suite 101
126 Fresno, CA 93704
127

128 The State Board reserves the right to make such modifications to the Citation as it may
129 deem necessary to protect public health and safety. Such modifications may be issued as
130 amendments to this Citation and shall be effective upon issuance.

131

132 Nothing in this Citation relieves the Water System of its obligation to meet the
133 requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4,
134 commencing with Section 116270), or any regulation, standard, permit or order issued or
135 adopted thereunder.

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PARTIES BOUND

138 This Citation shall apply to and be binding upon the Water System, its owners,
139 shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

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SEVERABILITY

142 The directives of this Citation are severable, and the Water System shall comply with each
143 and every provision hereof, notwithstanding the effectiveness of any other provision.

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FURTHER ENFORCEMENT ACTION

148 The California SDWA authorizes the State Board to: issue a citation with assessment of
149 administrative penalties to a public water system for violation or continued violation of the
150 requirements of the California SDWA or any regulation, permit, standard, citation, or order



151 issued or adopted thereunder including, but not limited to, failure to correct a violation
152 identified in a citation compliance order. The California SDWA also authorizes the State
153 Board to take action to suspend or revoke a permit that has been issued to a public water
154 system if the public water system has violated applicable law or regulations or has failed to
155 comply with an order of the State Board, and to petition to superior court to take various
156 enforcement measures against a public water system that has failed to comply with an
157 order of the State Board. The State Board does not waive any further enforcement action
158 by issuance of this Citation.

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Date

2-21-17

Kassy D. Chauhan

Kassy D. Chauhan, P.E.

Senior Sanitary Engineer, Merced District

DIVISION OF DRINKING WATER,

STATE WATER RESOURCES CONTROL

BOARD

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Attachment:

Attachment 1: Instructions for Tier 2 SWTR Turbidity Exceedance Notice Template and Proof of Notification Form

Sent Via Certified Mail No. 7016 1370 0000 0455 3819



Instructions for Tier 2 SWTR Turbidity Exceedance Notice Template

Template Attached

Since surface water treatment filtration treatment technique violations are included in Tier 2, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation [California Code of Regulations, Title 22, Chapter 15, Section 64463.4(b)]. **Each water system required to give public notice must submit the notice to the State Water Resources Control Board, Division of Drinking Water (DDW) for approval prior to distribution or posting, unless otherwise directed by the DDW [64463(b)].** This template may also be adapted for use with turbidity MCL violations.

For exceedance of single turbidity limits, you must consult with the DDW as soon as practical but within 24 hours of learning of the violation. During the consultation, the DDW may choose to elevate your turbidity exceedance to Tier 1. If consultation does not occur, the violation is automatically elevated to Tier 1 (See Tier 1 Turbidity Single Exceedance Instructions and Notice Template).

Notification Methods

You must use the methods summarized in the table below to deliver the notice to consumers. If you mail, post, or hand deliver, print your notice on letterhead, if available.

<i>If You Are a...</i>	<i>You Must Notify Consumers by...</i>	<i>...and By One or More of the Following Methods to Reach Persons Not Likely to be Reached by the Previous Method...</i>
Community Water System [64463.4(c)(1)]	Mail or direct delivery ^(a)	Publication in a local newspaper
		Posting ^(b) in conspicuous public places served by the water system or on the Internet
		Delivery to community organizations
Non-Community Water System [64463.4(c)(2)]	Posting in conspicuous locations throughout the area served by the water system ^(b)	Publication in a local newspaper or newsletter distributed to customers
		Email message to employees or students
		Posting ^(b) on the Internet or intranet
		Direct delivery to each customer

(a) Notice must be distributed to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system.

(b) Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.

The notice attached is appropriate for the methods described above. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the health effects and notification language in italics unchanged. This language is mandatory [64465].

Multilingual Requirement

The notice must (1) be provided in English, Spanish, and the language spoken by any non-English-speaking group exceeding 10 percent of the persons served by the water system and (2) include a telephone number or address where such individuals may contact the water system for assistance.

If any non-English-speaking group exceeds 1,000 persons served by the water system, but does not exceed 10 percent served, the notice must (1) include information in the appropriate language(s) regarding the importance of the notice and (2) contain the telephone number or address where such individuals may contact the water system to obtain a translated copy of the notice from the water system or assistance in the appropriate language.

Population Served

Make sure it is clear who is served by your water system -- you may need to list the areas you serve.

Description of the Violation

Choose from the following descriptions and modify to fit your situation:

- *For Exceedance of Single Turbidity Limits* – “Normal turbidity levels at our plant are [number] turbidity units. A water sample taken [date] showed levels of [number] turbidity units. This was above the standard of [standard] units. Because of these high levels of turbidity, there is an increased chance that the water may contain disease-causing organisms.”
- *For Exceedance of Monthly Turbidity Limits* – “Water samples for [month year] showed that [number] percent of turbidity measurements were over [standard] turbidity units. The standard is that no more than 5 percent of samples may exceed [standard] turbidity units per month. The turbidity levels are relatively low. However, their persistence is a concern. Normal turbidity levels at our plant are [number] turbidity units.”

Corrective Action

In your notice, describe corrective actions you are taking. Listed below are some steps commonly taken by water systems with filtration treatment technique violations. Use one or more of the following actions, if appropriate, or develop your own:

- “We added chemicals that reduce turbidity.”
- “We sampled both untreated and treated water for the presence of coliform

- bacteria.”
- “We monitored chlorine levels and adjusted them as needed to compensate for the filtration problems.”
 - “We inspected and cleaned the filters.”

After Issuing the Notice

Send a copy of each type of notice and a certification that you have met all the public notice requirements to the DDW within ten days after you issue the notice [64469(d)]. You should also issue a follow-up notice in addition to meeting any repeat notice requirements the DDW sets.

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately.

It is a good idea to issue a “problem corrected” notice when the violation is resolved.

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.

Tradúzcalo o hable con alguien que lo entienda bien.

[System]

Did Not Meet Treatment Requirement (Turbidity)

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

We routinely monitor your water for turbidity (cloudiness). This tells us whether we are effectively filtering the water supply. [Insert appropriate description of the violation from instructions.]

What should I do?

- **You do not need to boil your water or take other actions.**
- This is not an emergency. If it had been you would have been notified immediately. We do not know of any contamination, and none of our testing has shown disease-causing organisms in the drinking water.
- *Turbidity has no health effects. However, high levels of turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches. These symptoms are not caused only by organisms in drinking water. If you experience any of these symptoms and they persist, you may want to seek medical advice.*
- People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from U.S. EPA's Safe Drinking Water Hotline at 1(800) 426-4791.
- If you have other health issues concerning the consumption of the water, you may wish to consult your doctor.

What happened? What was done?

A problem occurred with the treatment system at the water plant. [Describe the reason for high turbidity, corrective actions, and when the system returned or expects to return to compliance].

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- SCHOOLS: Must notify school employees, students, and parents (if the students are minors).
- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

This notice is being sent to you by [system].

State Water System ID#: _____. Date distributed: _____.

Certification of Completion of Public Notification

This form, when completed and returned to the Division of Drinking Water - Merced District (265 W. Bullard Ave. #101, Fresno, CA 93704 or fax to 559-447-3304), serves as certification that public notification to water users was completed as required by Title 22, California Code of Regulations, Sections 64463-64465.

Public Water System Name: City of Dos Palos and JPA
Public Water System No.: 2410002

Public notification for a Tier 2 SWTR Turbidity Exceedance Notice was performed by the following method(s) (check and complete those that apply):

The notice was mailed to users on: _____
A copy of the notice is attached.

The notice was hand delivered to water customers on: _____
A copy of the notice is attached.

The notice was published in the local newspaper on: _____
A copy of the newspaper notice is attached.

The notice was published in conspicuous places on: _____
A copy of the notice is attached.
A list of locations the notice was posted is attached.

The notice was delivered to community organizations on: _____
A copy of the notice is attached.
A list of community organizations the notice was delivered to is attached.

I hereby certify that the above information is factual.

Printed Name

Title

Signature

Date

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for separate violation each day that the violation continues. In addition, the violators may be prosecuted in criminal court and, upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in the county jail not to exceed one year, or by both the fine and imprisonment.

Due to the Division of Drinking Water within 10 days of issuance of notice to customers
System Number: 2410002
Citation No. 03-11-17C-005